

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

MDL No. 2419
Dkt. No. 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:

All Actions

RWZ ~~PROPOSED~~ ORDER FOR PARTIAL DISTRIBUTION OF
COMMON BENEFIT FEES AND EXPENSES

Having considered the Plaintiff Steering Committee's Motion for Distribution of Common Benefit Fees and Expenses [Dkt. No. 3105] as well as the Revised Suggested Allocation of Common Benefit Fees subsequently filed by the PSC [Dkt. No. 3129], having considered the Responses Regarding Steering Committee's Motion for Distribution of Common Benefit Fees and Expenses [Dkt. Nos. 3194, 3198] and Motion for Relief Regarding Distribution From the NECC Tort Trust [Dkt. No. 3195] and having heard oral argument on the motion on December 8, 2016, the Court hereby orders as follows:

IT IS HEREBY ORDERED:

1. Except as otherwise set forth in this order, the Motion for Distribution of Common Benefit Fees and Expenses [Dkt. No. 3105] is hereby granted, as revised [Dkt. No. 3129] (the "approved CBF amounts");
2. The Tort Trustee, Lynne F. Riley of Casner & Edwards P.C., who holds the Common Benefit Fund established by MDL Order No. 8 [Dkt. 1333], is hereby authorized to distribute one-half (i.e., 50%) of the approved CBF amounts, such distribution not to occur until such time that the Tort Trustee has mailed all or virtually all checks for initial payments to those claimants (or their attorneys) who have returned the

necessary documentation and returned properly executed materials in response to lien letters received by the Tort Trustee on or before December 15, 2016;

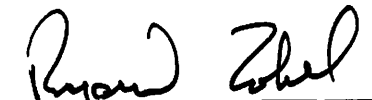
3. The Tort Trustee is also authorized to make payment of the following invoices from the Common Benefit Fund:

- To Rust Omni, for invoice 3647: \$1,172
- To U.S. Legal, for invoice ESI007968: \$3,681.42
- To Caras and Shulman, PC (accountants), for invoice 64010: \$3,545.00

4. The Responses Regarding Steering Committee's Motion for Distribution of Common Benefit Fees and Expenses [Dkt. Nos. 3194, 3198] and Motion for Relief Regarding Distribution From the NECC Tort Trust [Dkt. No. 3195] are denied as moot;

5. The Court retains jurisdiction to decide upon the timing of further distribution(s) of the approved CBF amounts.

SO ORDERED.


Hon. Rya W. Zobel
United States District Judge

December 19, 2016

